

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 26 TH DAY OF May 1998

BEFORE

THE HON'BLE MR.JUSTICE H.RANGAVITTALACHAR

HRRP NO.504 of 1993

1. Chambavva, Occupation: Household  
Work & Agriculture,
2. Channabasappa,  
Occupation: Agriculture.
3. Prabhanna,  
Occ: Agriculture.
4. Kotrappa,  
Occ: Agriculture.
5. Shivappa,  
Occ: Agriculture,

Wife and sons respectively,  
of Late Veerappa Salikani alias  
Shirur, Major,

- 1a -

residing at Karjagi, Haveri Taluk,  
Dharwad District.                      .. Petitioners

(By Sri.M.B.Prabhakar - Adv.)

And :

1. Mahadevappa Gurupadappa Nagnoor,  
Major, Occ: Business,  
Gandhi Road, Haveri,  
Dharwad District.
2. M/s.Mahadevappa Gurupadappa & sons,  
A registered Partnership firm,  
represented by its Managing Partner,  
Mahadevappa Gurupadappa Nagnoor,  
(1st respondent),  
Major, Occ:P Business, Gandhi Road,  
Haveri, Dharwad District.      .. Respondents.

(By Sri.M/s.Patil & Patil - Adv.)

This CRP is filed under sec.115 of CPC against the order dtd.16.1.1993 passed in CRP No.42/84 on the file of the II Addl.Dist.Judge, Dharwad allowing the revision petition and setting aside the order dtd.18.1.1984 passed in HRC No.3/77 on the file of the Munsiff & JMFC, Haveri allowing the petition filed under sec.21(1)(h) of KRC Act.

This HRRP coming on for hearing this day, the Court made the following:

O R D E R

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1. The first step in the process of making a decision is to identify the problem.

2. The second step is to gather information about the problem.

3. The third step is to generate possible solutions.

4. The fourth step is to evaluate the possible solutions.

5. The fifth step is to select the best solution.

6. The sixth step is to implement the solution.

7. The seventh step is to evaluate the results.

8. The eighth step is to adjust the solution if necessary.

9. The ninth step is to document the process.

10. The tenth step is to share the results.

11. The eleventh step is to reflect on the process.

12. The twelfth step is to learn from the experience.

13. The thirteenth step is to apply the lessons learned.

14. The fourteenth step is to continue to improve.

15. The fifteenth step is to stay motivated.

16. The sixteenth step is to stay focused.

17. The seventeenth step is to stay organized.

18. The eighteenth step is to stay positive.

19. The nineteenth step is to stay resilient.

20. The twentieth step is to stay determined.

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116. The hundred-sixteenth step is to stay organized.

117. The hundred-seventeenth step is to stay positive.

118. The hundred-eighteenth step is to stay resilient.

119. The hundred-nineteenth step is to stay determined.

120. The hundred-twentieth step is to stay committed.

121. The hundred-twenty-first step is to stay dedicated.

122. The hundred-twenty-second step is to stay disciplined.

123. The hundred-twenty-third step is to stay consistent.

124. The hundred-twenty-fourth step is to stay persistent.

125. The hundred-twenty-fifth step is to stay motivated.

126. The hundred-twenty-sixth step is to stay focused.

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133. The hundred-thirty-third step is to stay disciplined.

134. The hundred-thirty-fourth step is to stay consistent.

135. The hundred-thirty-fifth step is to stay persistent.

136. The hundred-thirty-sixth step is to stay motivated.

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255. The two hundred-fifty-fifth step is to stay consistent.

256. The two hundred-fifty-sixth step is to stay persistent.







9. I am not in agreement with the said submission. In this case evidence has been led by the parties but the learned Munsiff has omitted to give a finding though there was evidence on record, hence the learned Dist.Judge has in exercise of his power under Sec.50 of the act has appreciated the evidence already led in by the parties and has given a finding on the feasibility of partial eviction. Such a power ~~of~~ the learned Dist.Judge undoubtedly has having regard to the language and scope of Sec.50 of the act.

10. For the reasons stated above, this revision petition is allowed. The order of the learned Dist.Judge is <sup>except the finding on "partial eviction"</sup> set-aside <sup>^</sup> and the order of the learned Munsiff is upheld. Consequently eviction order is allowed.

11. Having regard to the findings of the Courts below that the respondents have been carrying on the business at APMC Yard and having regard to the condition of the building, 6 months time is granted to the tenant from today to quit and deliver vacant possession to the landlord.

H. R. V

Petition allowed.

Sd/-  
JUDGE

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